IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THURSDAY THE THIRTIETH DAY OF SEPTEMBER

TWO THOUSAND AND FOUR

: PRESENT:

THE HONOURABLE MR. JUSTICE: **V. ESWARAIAH**

CONTEMPT CASE NO. 699 OF 2004

(Contempt Case U/s 10 to 12 of Contempt of Courts Act to call for the Contemnor/Respondent and punish him for non implementation of the orders dated 12-6-2003 passed in W.P.No. 17601 of 2002.)

Between:

1. P. Ashok Babu
2. R. Venkateshwarlu
3. B. Harigovind Singh
4. R.Sreelatha Devi
5. G.Sarala Dvi
6. M. Narasimha Rao
7. P. Sreedhar
8. M. Swarna Latha
9. K. Shankaraiah
10. B. Nethajee
11. CH. Paranay Kumar
12. L. Ramu

(All are working as Senior Assistants in the Kakatiya University, Warangal)

Petitioners

AND

1. Prof. N. Satyanarayana, Registrar, Kakatiya University, Warangal.
2. Govt. of Andhra Pradesh, represented by its Principal Secretary to Govt., Higher Education Department, Secrtariat,Hyderabad.
3. G. Sdarangapani
4. Mohd. Habeebuddin
5. Mrs. N. Kanakamma
6. Md. Mustafa
7. M. Madhava Reddy
8. Md. Khasim
9. K. Jayapal Reddy
10. S.Raju
11. S.S. Prasad
12. K. Vinod Rao
13. V. Komuraiah
14. G.Rajeshwar Rao
15. N. Sunder Rao
16. N. Ramesh
17. S.Haranath
18. K.Sampath

(Sl.No. 2 to 18 are not necessary in the Contempt Case)

Respondents

The Contempt Case coming on for hearing upon perusing the Case and affidavit filed herein and upon hearing the arguments of Mrs. Subbarao Korrapati, Advocate for the Petitioner and of Mr. B.Narayana Reddy, SC for respondent No.1.

the Court made the following

ORDER:

This contempt case is filed complaining that the judgment of this Court dated 12-6-203 made in W.P.M.P.No. 17601 of 2004 is not implemented by the first respondent in spite of filing the contempt case in the month of June 2004.

Contd…2…

When the contempt case came up for admission 29-6-2004, learned counsel appearing for the first respondent took notice and offered to file counter within two weeks. The matter underwent several adjournments at the instance of the first respondent on 19-7-2004, 02-8-2004, 30-8-2004 and 20-9-2004 respectively. Learned counsel appearing for the respondents state that the respondents have carried the matter to the Supreme Court of India and he has also received a letter from the advocate on record from the Supreme Court of India stating that the University as well as the contesting respondents have filed S.L.Ps against the said judgment and SLPs may come up for admission shortly and therefore he was requested to take long adjournment. The respondents have taken several adjournments in this case from time to time on the same ground.

By the aforesaid judgment I have allowed the said Writ Petition only by following the principles laid down in the judgments of this Court and the Apex Court. Against which, the Writ Appeal No. 1056 of 2004 preferred by the first respondent University was also dismissed as the subject matter of the writ is squarely covered by the judgment of the Apex Court in Chief Engineer, M.P. ELECTRICITY BOARD vs., VIRENDRA KUMAR SHARMA (AIR 2002 SUPREME COURT 2635). It was held that promotion of the respondents No. 3 to 18 herein, after expiry of the panel period, cannot be sustained and as there was no flaw in the order passed by this Court and thus the Writ Appeal was dismissed. In view of the aforesaid facts of the case, I am of the view that it is a fit case to admit the contempt case against the first respondent alone.

A D M I T

Post the matter for appearance of the first respondent on 1-11-2004. However it is made clear that if the first respondent implements the orders of this Court or in the event of any orders passed by the Supreme Court, it is open for the first respondent to file an application herein to dispense with for his appearance.

DEPUTY REGISTRAR

// True Copy//

SECTION OFFICER

To

1. Prof. N. Satyanarayana, Registrar, Kakatiya University, Warangal.
   (BY RPAD with a copy of petition and affidavit)

2. The Principal Secretary, Govt. of Andhra Pradesh,
   Higher Education Department, Secrtariat,Hyderabad.
3. One spare copy

TKK

HIGH COURT

VE.J

DATE: 30-09-2004

ORDER

C.C. No. 699 OF 2004

DIRECTION

HIGH COURT

TKK
Date of drafting: 6-10-2004.

VE.J

DATE: 30-09-2004

ORDER

C.C. No. 699 OF 2004

DIRECTION